

Message Text

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ERDA:GHELFRICH (SUBS)

OSD/ISA:JLANDAUER (SUBS)

NSC:DELLIOTT (SUBS)

ACDA/NTB:CVANDOREN

S/S - MR. SHANKLE

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O 161705Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY PARIS IMMEDIATE

INFO AMEMBASSY OTTAWA IMMEDIATE

AMEMBASSY ISLAMABAD

USMISSION IAEA VIENNA

S E C R E T STATE 037654

EXDIS

E.O. 11652: XGDS-3

TAGS: TECH, ENRG, FR

SUBJECT: PAKISTAN-FRENCH-IAEA TRILATERAL SAFEGUARDS AGREE-
MENT COVERING REPROCESSING

1. DEPARTMENT UNDERSTANDS THAT FRANCE AND PAKISTAN HAVE
JUST CONCLUDED NEGOTIATIONS OF A TRILATERAL SAFEGUARDS
AGREEMENT WITH THE IAEA THAT WOULD BE DESIGNED TO APPLY

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IAEA SAFEGUARDS TO THE NATIONAL REPROCESSING FACILITY THAT

PAKISTAN EXPECTS TO PURCHASE FROM FRANCE AS WELL AS TO ANY LATER FACILITIES EMPLOYING TECHNOLOGY DERIVED FROM THIS INITIAL FACILITY. WE UNDERSTAND THAT IAEA BOARD OF GOVERNORS MEETING DURING WEEK OF FEBRUARY 23 WILL BE REQUESTED TO APPROVE THIS DOCUMENT.

2. GIVEN THE KNOWN U.S. RESERVATIONS ABOUT THE ESTABLISHMENT OF FURTHER REPROCESSING CAPABILITIES, PARTICULARLY WHILE THE IAEA IS EVALUATING MULTINATIONAL ALTERNATIVES, U.S. REP AT THE IAEA BOARD MEETING WILL BE COMPELLED TO EXPRESS SOME CONCERNS WHEN THIS ITEM REACHES THE BOARD. WE VISUALIZE THAT THIS WOULD BE CONSISTENT WITH THE POSITION WE PREVIOUSLY TOOK ON A MEXICAN PROPOSAL WHEN THE IAEA TECHNICAL ASSISTANCE COMMITTEE MET ON NOVEMBER 27. UNLIKE THE RECENT ROK-FRENCH-IAEA TRILATERAL, WE UNDERSTAND THAT THE PAKISTAN AGREEMENT IS LIMITED IN ITS COVERAGE TO

REPROCESSING, THUS MAKING IT DIFFICULT FOR US NOT TO FRANKLY EXPRESS OUR RESERVATIONS ABOUT THIS FORM OF COOPERATION AT THIS TIME.

3. HOWEVER, SINCE WE ARE MOST ANXIOUS TO PRESERVE OUR CLOSE POSITIVE CONSULTATIVE RELATIONSHIPS WITH THE FRENCH ON SUPPLY MATTERS WE DO NOT WISH TO SURPRISE THEM ON SUBJECT AND WISH TO REQUEST THAT THEY CONSIDER AGREEING TO DEFER THIS ITEM UNTIL JUNE SO AS TO ENABLE US TO CONSULT WITH THEM ON A LESS PRESSURED BASIS RELATED TO OUR SPECIAL CONCERNS ABOUT THIS FACILITY IN THE INTERIM. APART FROM OUR GENERAL POLICY RESERVATIONS ABOUT THE INSTALLATION OF SUCH FACILITIES IN SENSITIVE COUNTRIES, WE HAVE FRANK, SPECIFIC CONCERNS ABOUT PAKISTAN'S ACQUISITION OF THE SUBJECT FACILITY WHICH WE HAD HOPED TO REVIEW WITH THE FRENCH ON A MORE LEISURELY BASIS.

4. FOR PARIS: IN LIGHT OF THESE CONCERNS, EMBASSY IS INSTRUCTED TO PROMPTLY APPROACH DE NAZELLE AND OTHER GOF OFFICIALS AS APPROPRIATE NOTING THAT WE ARE PASSING SAME OBSERVATIONS ON TO FRENCH EMBASSY HERE:

-- USG HAS RECENTLY LEARNED THAT GOF AND PAKISTAN ARE,
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INDEED, PLANNING TO SUBMIT TO THE FEBRUARY 24 IAEA BOARD OF GOVERNORS MEETING THE DRAFT TRILATERAL SAFEGUARD ARRANGEMENT COVERING THE PROPOSED FRENCH SALE OF A REPROCESSING PLANT TO THE GOP;

-- THIS RATHER SHORT NOTICE HAS FRANKLY PUT US UNDER SOME PRESSURE SINCE WE HAD HOPED TO CONSULT CLOSELY WITH THE FRENCH ON THE PROLIFERATION IMPLICATIONS OF THE PRO-

POSED PAKISTAN REPROCESSING PLANT AS IT RELATES TO OUR PERCEPTIONS OF PAKISTAN'S NUCLEAR NEEDS AND AMBITIONS;

-- MORE POINTEDLY, AND LOOKING TOWARD THE FORTHCOMING BOARD MEETING, THE PROPOSED AGREEMENT PLACES US IN A DIFFICULT POSITION GIVEN THE WIDELY KNOWN U.S. POSITION FAVORING ALTERNATIVES TO NATIONAL REPROCESSING CAPABILITIES, AS WELL AS THE EXPRESSED USG PREFERENCE FOR DEFERRING OF FURTHER NATIONAL REPROCESSING INITIATIVES PARTICULARLY IN SENSITIVE COUNTRIES) WHILE THE IAEA MULTINATIONAL PLANT STUDY IS ACTIVELY UNDERWAY. IN THIS REGARD, THE GOF WILL RECALL THAT DURING THE MEETING OF THE IAEA TECHNICAL ASSISTANCE COMMITTEE ON NOVEMBER 27, AND IN THE CONTEXT OF CONSIDERING A MEXICAN PROJECT, THE U.S. SPOKESMAN EXPRESSED SOME RESERVATIONS ABOUT IAEA ENCOURAGEMENT OF NATIONAL REPROCESSING PROGRAMS WHILE THE AGENCY'S STUDY OF MULTINATIONAL CENTERS IS IN PROGRESS.

-- GIVEN OUR PUBLICLY KNOWN POSITION ON THIS MATTER WE WOULD BE COMPELLED AS A MINIMUM TO MAKE A GENERALLY COMPARABLE STATEMENT TO OUR INTERVENTION OF LAST NOVEMBER, IF AND WHEN THE PAKISTAN-FRENCH-IAEA TRILATERAL IS, INDEED, CONSIDERED AT THE FEBRUARY MEETING. IT ALSO WOULD NOT SURPRISE US IF SOME OTHER MEMBERS OF THE BOARD (SUCH AS CANADA AND THE USSR) EXPRESSED SOME SIMILAR CONCERNS. THE DIFFICULTY IS THAT WE ARE UNABLE TO AVOID THE ISSUE AND HANDLE IT IN THE MORE GENERAL MANNER AS WE DID THE FRENCH-ROK-IAEA TRILATERAL GIVEN THE SINGLE PURPOSE NATURE OF THE PROPOSED TRILATERAL.

-- THE USG OBVIOUSLY WOULD PREFER TO AVOID DILEMMA OF HOW TO REACT TO THE PROJECT WHEN IT APPEARS BEFORE THE BOARD AND, IF IT IS AT ALL PRACTICABLE, WOULD URGE THE GOF
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TO GIVE SYMPATHETIC CONSIDERATION TO HAVING THIS ITEM DEFERRED UNTIL JUNE ALLOWING US TIME TO CONSULT WITH EACH OTHER ON DESIRABLE NEXT STEPS.

-- WE BELIEVE A DEFERMENT COULD BE SUPPORTED ON THE GROUNDS THAT THE MEMBERS OF THE BOARD SHOULD HAVE MORE TIME TO STUDY AN AGREEMENT OF THIS IMPORTANCE. IT ALSO CAN BE ARGUED THAT IT WOULD BE USEFUL TO DEFER THE ITEM TO ALLOW THE SECRETARIAT SUFFICIENT TIME TO PREPARE A COMPANION BACKGROUND PAPER DESCRIBING WHERE IT STANDS IN ITS PLANS FOR DEVELOPING SAFEGUARDS PROCEDURES FOR SAFEGUARDING SUCH FACILITIES.

5. IN SPIRIT OF PREVIOUS CLOSE USG-GOF CONSULTATIONS ON SENSITIVE NUCLEAR EXPORT CASES, EMBASSY SHOULD STRESS

FACT THAT USG CONCERNS SOLELY RELATED TO SECURITY AND NOT REPEAT NOT COMMERCIAL IMPLICATIONS. IT SHOULD INDICATE THAT, IF GOF CHOOSES TO PROCEED WITH TRILATERAL, FRENCH SHOULD UNDERSTAND DIFFICULTY OF U.S. POSITION IN FORTH-COMING IAEA BOARD MEETING AND PROSPECT THAT U.S. WOULD HAVE TO EXPRESS PREFERENCE FOR SEEING SUCH PROJECTS DEFERRED AT THAT TIME. USG WOULD PREFER NOT TO BE FORCED TO EXPRESS RESERVATIONS ABOUT PROJECT AT BOARD BUT INSTEAD TO HAVE FRANCE AGREE TO OUR REQUEST FOR DEFERRAL PRIOR TO MEETING.

6. FYI: PRIOR TO BG DEPARTMENT WILL ADVISE PAKISTAN AND KEY BOARD MEMBERS AS TO THE NATURE OF THE INTERVENTION WE WOULD FEEL COMPELLED TO MAKE ON THIS TIEM. END FYI. KISSINGER

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